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APPLICANTS: James J. Gibbons et al.

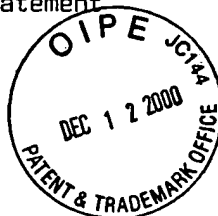
SERIAL NO: 09/659,643

FILED: September 12, 2000

FOR: Method of Potentiating Chemotherapy and
Treating Solid Tumors

THIS WILL ACKNOWLEDGE DATE RECEIVED OF:

Information Disclosure Statement



DOCKET NO. AM100081

DATE SUBMITTED: 12/12/00

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John P. Parker

DATE 12-12-00

AM100081
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: James J. Gibbons et al.

Serial No.: 09/659,643

Filed: September 12, 2000

Group: 1646

For: Method of Potentiating Chemotherapy and Treating Solid Tumors


Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT UNDER RULE 97

Sir:

With respect to the subject matter of the above-identified application, the applicants are aware of the references listed on the enclosed form PTO-1499, which may have relevance to the examination of the invention claimed. Copies of these references are attached. ✓

Respectfully submitted,



Arnold S. Milowsky
Reg. No. 35,288

Dated: December 12, 2000

Telephone: (610) 902-2635

Enclosure: Form PTO-1449 with copies of the above-mentioned references ✓



2.

Identification of Time of Filing**This Information Disclosure Statement**

- a. ☐ is filed within three months of the filing date of the application.
- b. ☒ is filed before the mailing date of a first Office Action on the merits.
- c. ☐ is filed before the mailing date of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.
- d. ☐ is filed after the period specified in 2(a), 2(b) or 2(c) above, but before the mailing date of a final action under 37 CFR 1.311. This statement includes a certification under 37 CFR 1.97(e) or the fee set forth in 37 CFR 1.17(p).
- e. ☐ is filed after the mailing date of a final action or Notice of Allowance but before payment of the issue fee. This statement includes (i) a certification under 37 CFR 1.97(e), and (ii) the fee set forth in 37 CFR 1.17(p).

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☒ **Certification under 37 CFR 1.97(e)**

The undersigned attorney certifies

- a. ☐ that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or
- b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the statement.
- c. ☒ The undersigned attorney certifies that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign application patent office in a counterpart foreign application and was not received by any individual designated in 37 CFR 1.56(c) more than thirty (30) days prior to the filing of the statement.

**Newly Cited Information**

A legible copy of the patents, publications or other information cited on the attached form PTO 1449 is enclosed, except that no copy of a pending U.S. application is enclosed.

**Previously Cited Information**

No copy of the patents, publications or other information cited on the attached form PTO-1449 is enclosed because it has been previously cited by or submitted to the Office in a prior application which is relied upon for an earlier filing date under 35 USC 120.

Prior application is Serial Number _____, filed on _____ of _____ for _____.

Substitute for form 144B/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number	09/659,643
Filing Date	September 12, 2000
First Named Inventor	James J. Gibbons et al.
Group Art Unit	1646
Examiner Name	
Attorney Docket Number	AM100081-01

Sheet 1 of 1

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number (If known)	Kind Code (If Known)			
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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (If Known)				
	2.	PCT	WO 00 38665		McKearn, John P.	07-06-2000		<input type="checkbox"/>
	3.	PCT	WO 99/42099		Taub, Floyd	08-26-1999		<input type="checkbox"/>

OTHER PRIOR ART — NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		T
	4.	P.KIER: "high-dose chemotherapy and autologous stem-cell transplantation in breast cancer" ACTA MEDICA AUSTRIACA, vol. 27, no. suppl. 52, 2000, pages 33-36 XP001009709 page 33		<input type="checkbox"/>

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449
(REV. 2-32)U.S. DEPARTMENT OF COMMERCE
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ATTY. DOCKET NO.

SERIAL NO.

AM100081

09/659,643

INFORMATION DISCLOSURE
STATEMENT BY APPLICANTAPPLICANT
James J. Gibbons et al.

(Use several sheets if necessary)

FILING DATE

GROUP

September 12, 2000

1646



U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4	6	6	6	8	9	0	5/87	Kitaura et al.			
	AB	5	3	1	2	8	3	1	5/94	Ayral-Kaloustian et al			
	AC												
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FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO
	AL													
	AM													
	AN													
	AO													
	AP													

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	Klimp et al., Anticancer Res., 2000, 20(4), 2585-92
	AR	Bezault et al., In Vivo, 1993, 7(6A), 487-91
	AS	Daemen et al., J. Immunother., 1993, 13(1), 31-5
	AT	D'Souza et al., Drug Dev. Ind. Pharm., 1999, 25(5), 583-90
	AU	Grimm et al., Clin. Cancer Res., 2000, 6(10), 3895-903
	AV	Verma et al., Cancer Biother. Radiopharm., 1996, 11(6), 349-54

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	AI						
	AJ						
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							YES	NO
	AL							
	AM							
	AN							
	AO							
	AP							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	Mantovani et al., J. Immunother., 2000, 23(2), 267-74
	AR	
	AS	
	AT	
	AU	
	AV	

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